

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Mark Edward Nelson Jr.**  
**Erin Marie Nelson**  
Debtor(s)

Bankruptcy Case No.: 15-70509-JAD  
Issued Per Dec. 15, 2016 Proceeding  
Chapter: 13  
Docket No.: 88 – 82, 83  
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated October 24, 2016 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$1,832 as of January 2017. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☐ H. Additional Terms:

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: December 21, 2016

Jeffery A. Deller  
United States Bankruptcy Judge

cc: All Parties in Interest to be served by Clerk in seven (7) days

**Certificate of Notice Page 4 of 5**  
 United States Bankruptcy Court  
 Western District of Pennsylvania

In re:  
 Mark Edward Nelson, Jr.  
 Erin Marie Nelson  
 Debtors

Case No. 15-70509-JAD  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-7

User: jhel  
 Form ID: 149

Page 1 of 2  
 Total Noticed: 44

Date Rcvd: Dec 21, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 23, 2016.

db/jdb +Mark Edward Nelson, Jr., Erin Marie Nelson, 344 Pine Street, Central City, PA 15926-1348  
 tr +Ronda J. Winnecour, Suite 3250, USX Tower, 600 Grant Street, Pittsburgh, PA 15219-2702  
 cr +Navient Solutions, Inc., 220 Lasley Ave, Wilkes-Barre, PA 18706-1430  
 cr +Pennsylvania Housing Finance Agency, c/o Leon P. Haller, Esquire, 1719 North Front Street, Harrisburg, PA 17102-2305  
 14078555 AES/PHEAA, P.O. Box 2461, Harrisburg, PA 17105-2461  
 14078556 AES/SLSC, P.O. Box 2461, Harrisburg, PA 17105-2461  
 14106548 +AT&T, 1025 Lenox Park, Atlanta, GA 30319-5309  
 14090664 +AmeriCredit Financial Services, Inc. dba GM Financ, P O Box 183853, Arlington, TX 76096-3853  
 14078557 Capital One, P.O. Box 30285, Salt Lake City, UT 84130-0285  
 14078558 Capital One Bank USA, Attn: General Correspondence, P.O. Box 30285, Salt Lake City, UT 84130-0285  
 14078561 Conemaugh Memorial Medical Center, ATTN: Patient Accounting, 1086 Franklin Street, Johnstown, PA 15905-4398  
 14078562 +Court of Common Pleas of Somerset County, Pennsylvania, Somerset County Courthouse, 111 E. Union Street, Suite 110, Somerset, PA 15501-1462  
 14078567 +GM Financial, 4001 Embarcadero, Arlington, TX 76014-4106  
 14078566 GM Financial, P.O. Box 183123, Arlington, TX 76096-3123  
 14078568 +HSBC Bank USA, P.O. Box 2013, Buffalo, NY 14240-2013  
 14106549 +James B. Yelovich, Esq., Yelovich & Flower, 166 E. Union Street, Suite 3, Somerset, PA 15501-1420  
 14078570 ++NATIONWIDE INSURANCE, SERVICE OF PROCESS TEAM, THREE NATIONWIDE PLAZA, MAIL CODE 3-11-310, COLUMBUS OH 43215-2410  
 (address filed with court: Nationwide Headquarters, One Nationwide Plaza, Columbus, OH 43215-2220)  
 14192126 Navient Solutions Inc., Department of Education Loan Services, P.O. Box 9635, Wilkes-Barre, PA 18773-9635  
 14078573 OneMain Financial, 120 East Walnut Street, Lock Haven, PA 17745-3538  
 14078575 +OneMain Financial Customer Service, NTBS-2320, 6801 Colwell Blvd., Irving, TX 75039-3198  
 14078576 Pennsylvania Housing Finance Agency, PO Box 13280, Philadelphia, PA 19101-3280  
 14078582 +Robert Wahl, 773 Bunker Hill Road, Central City, PA 15926-8608  
 14078585 +Sundance Vacations, 264 Highland Park Blvd., Wilkes Barre, PA 18702-6768  
 14078587 +U.S. Department of Education, Department of Education Building, 400 Maryland Avenue, SW, Washington, DC 20202-0008  
 14078586 +U.S. Department of Education, Attn: Bankruptcy, P.O. Box 16448, Saint Paul, MN 55116-0448  
 14078588 +Verizon Pennsylvania, 500 Technology Dr, Ste 30, Weldon Spring, MO 63304-2225  
 14078589 +Windber Medical Center, 600 Somerset Avenue, Windber, PA 15963-1397

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14078559 E-mail/Text: bk.notifications@jpmchase.com Dec 22 2016 02:09:50 Chase, P.O. Box 901076, Fort Worth, TX 76101-2076  
 14078560 E-mail/Text: bk.notifications@jpmchase.com Dec 22 2016 02:09:50 Chase Auto Finance, P.O. Box 78067, Phoenix, AZ 85062-8067  
 14078563 +E-mail/Text: bankruptcy\_notifications@ccsusa.com Dec 22 2016 02:10:52 Credit Collection Services, Attn: Bankruptcy, P.O. Box 773, Needham Heights, MA 02494-0918  
 14078564 E-mail/Text: hariasdiaz@creditmanagementcompany.com Dec 22 2016 02:10:38 Credit Management Company, 2121 Noblestown Road, P.O. Box 16346, Pittsburgh, PA 15242-0346  
 14078565 +E-mail/Text: hariasdiaz@creditmanagementcompany.com Dec 22 2016 02:10:38 Credit Management Company, 2121 Noblestown Road, Pittsburgh, PA 15205-3956  
 14188717 E-mail/Text: cio.bncmail@irs.gov Dec 22 2016 02:09:46 Internal Revenue Service, P.O. Box 7346, Philadelphia, PA 19101-7346  
 14078569 +E-mail/Text: bk.notifications@jpmchase.com Dec 22 2016 02:09:50 JP Morgan Chase Bank, Attn: National Bankruptcy Dept., P.O. Box 29505, Phoenix, AZ 85038-9505  
 14192425 E-mail/Text: bk.notifications@jpmchase.com Dec 22 2016 02:09:50 JPMorgan Chase Bank, N.A., National Bankruptcy Department, P.O. Box 29505 AZ1-1191, Phoenix, AZ 85038-9505  
 14078571 +E-mail/Text: egssupportservices@egscorp.com Dec 22 2016 02:10:31 NCO Financial Systems Inc., 507 Prudential Road, Horsham, PA 19044-2368  
 14078572 +E-mail/Text: egssupportservices@egscorp.com Dec 22 2016 02:10:31 NCO Financial Systems, Inc., Attn: Sharon A. Wander, 507 Prudential Road, Horsham, PA 19044-2368  
 14078574 +E-mail/PDF: cbp@onemainfinancial.com Dec 22 2016 02:02:40 OneMain Financial Customer Care, NTBS-2320, 6801 Colwell Blvd., Irving, TX 75039-3198  
 14187483 +E-mail/PDF: cbp@onemainfinancial.com Dec 22 2016 02:02:57 OneMain Financial Group, LLC, 6801 Coldwell Blvd, Mail Stop: NTSB-1310, Irving, TX 75039-3198  
 14078580 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Dec 22 2016 02:23:24 Portfolio Recovery Associates, 120 Corporate Boulevard, Suite 100, Norfolk, VA 23502  
 14078581 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Dec 22 2016 02:22:32 Portfolio Recovery Associates, LLC, P.O. Box 12914, Norfolk, VA 23541  
 14078578 E-mail/Text: blegal@phfa.org Dec 22 2016 02:10:19 Pennsylvania Housing Finance Agency, 211 North Front Street, Harrisburg, PA 17101-1406

District/off: 0315-7

User: jhel  
Form ID: 149

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Total Noticed: 44

Date Rcvd: Dec 21, 2016

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

14078577 E-mail/Text: blegal@phfa.org Dec 22 2016 02:10:19 Pennsylvania Housing Finance Agency,  
PO Box 15057, Harrisburg, PA 17105-5057  
14078583 E-mail/Text: ebn\_bkrt\_forms@salliemae.com Dec 22 2016 02:10:44 Sallie Mae, P.O. Box 3319,  
Wilmington, DE 19804-4319

TOTAL: 17

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr JPMorgan Chase Bank, N.A.  
cr\* +Americredit Financial Services, Inc. dba GM Financ, PO Box 183853, Arlington, TX 76096-3853  
14137776\* +AmeriCredit Financial Services, Inc. dba GM Financ, P O Box 183853,  
Arlington, TX 76096-3853  
14106550\* +Robert Wahl, 773 Bunker Hill Road, Central City, PA 15926-8608  
14078584\* +Sallie Mae, P.O. Box 3319, Wilmington, DE 19804-4319  
14078579 ##+Plain Green Loans, Customer Support, PO Box 255, 93 Mack Road, Suite 600,  
Box Elder, MT 59521-0255

TOTALS: 1, \* 4, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address  
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices  
will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The  
debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Dec 23, 2016

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 21, 2016 at the address(es) listed below:

Andrew F Gornall on behalf of Creditor JPMorgan Chase Bank, N.A. agornall@goldbecklaw.com,  
bkgroup@goldbecklaw.com/bkgroup@kmlawgroup.com  
Daniel J. Boger on behalf of Debtor Mark Edward Nelson, Jr. dnlboger@yahoo.com,  
dboger@shepleylaw.com;dlincoln@shepleylaw.com/bk@shepleylaw.com  
Daniel J. Boger on behalf of Joint Debtor Erin Marie Nelson dnlboger@yahoo.com,  
dboger@shepleylaw.com;dlincoln@shepleylaw.com/bk@shepleylaw.com  
James Warmbrodt on behalf of Creditor JPMorgan Chase Bank, N.A. bkgroup@kmlawgroup.com  
James R. Walsh on behalf of Trustee James R. Walsh jwalsh@spencecuster.com,  
trustee@spencecuster.com/kpetak@spencecuster.com/rsnyder@spencecuster.com/kmaris@spencecuster.com  
;jwalsh@ecf.epiqsystems.com  
Leon P. Haller on behalf of Creditor Pennsylvania Housing Finance Agency lhaller@pkh.com,  
dmaurer@pkh.com;lrynard@pkh.com  
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov  
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 8